

PROB 12B
(7/13)SWPA

FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.
★ FEB 17 2016 ★
BROOKLYN OFFICE

UNITED STATES DISTRICT COURT

for

EASTERN DISTRICT OF NEW YORK

**Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender**

(Probation Form 49, Waiver of Hearing is Attached)

Name of Offender: David Edward Mangual

Case Number: 0207 1:12CR00170

Name of Sentencing Judicial Officer: The Honorable Jack B. Weinstein, Senior U.S. District Judge

Date of Original Sentence: 3/22/2013

Original Offense: Possession of Child Pornography, a violation of 18 USC 2252(a)(4)(B) and 2252(b)(2).

Original Sentence: 5 years probation, and \$100 special assessment fee. The following special conditions were also imposed: sex offender treatment; a ban on cohabitation with any child under the age of 18 unless approved by the court's Probation Department; a ban on associating with children under the age of 18 without prior approval from Probation, with an exception for situations at work and school; compliance w/ sex offender registration requirements; a ban on the use of a computer or Internet capable device to access pornography of any kind; cooperation with limitations by Probation's Computer and Internet Monitoring Program to the extent that it does not interfere with his studies or employment; a ban on possession of a firearm, ammunition or any other destructive device; periodic polygraph testing; and a search condition.

Type of Supervision: PROB

Date Supervision Commenced: 3/22/2013

PETITIONING THE COURT

- ☐ To extend the term of supervision for years, for a total term of years.
- ☒ To modify the conditions of supervision as follows:

The defendant shall be confined to his/her residence until violation of probation hearing on February 24, 2016, or until deemed completed by the Court. The defendant shall be required to be at his/her residence at all times except for approved absences for gainful employment, community service, religious services, medical care, educational or training programs, and at other such times as may be specifically authorized, in advance, by the U.S. Probation Office. The defendant shall wear an electronic monitoring device and follow all location monitoring procedures. The defendant shall permit the Probation Officer access to the residence at all times and maintain a telephone without any custom services at the residence. During this period, the defendant may be placed on a curfew if the U.S. Probation Office determines that this less restrictive form of location monitoring is appropriate. The defendant shall pay all the costs associated with the location monitoring services and shall disclose all financial information and documents to the Probation Department to assess his/her ability to pay.

CAUSE

[Handwritten signature]

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On February 16, 2016, we appeared before Your Honor for a status conference on a violation of probation. Your Honor ordered that the offender be placed on home confinement pending a violation hearing currently scheduled for February 24, 2016, at 2pm. We await Your Honor's authorization, so we can enroll the offender in the location monitoring program.

Respectfully submitted,



Erin Weinrauch
U.S. Probation Officer
Date: February 16, 2016


Approved by,



Lawrence Andres
Supervising U.S. Probation Officer
Date: 2/16/2016

THE COURT ORDERS:

- ☐ No Action.
- ☐ The extension of supervision as noted above.
- ☒ The modification of conditions as noted above.
- ☐ Other



Signature of Judicial Officer

2/16/16

Date